

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF NEW YORK

-----x Case No. 11-46867

In re:

**MAN KIT NG,**

Debtor.

-----x Adv. Pro. No. 12-01343

**ROBERT L. GEL TZER**, as Trustee for  
the Estate of **MAN KIT NG**,

Plaintiff,

-against-

**MAN KIT NG,**

Defendant.

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**REQUEST FOR JUDICIAL NOTICE – FRE 201**

The Defendant, Mat Kit Ng, rather the undersigned counsel, respectfully asks this Court to take judicial notice of the decision in *In re Brzinova*, No. 12-42935-ESS, 2018 WL 3493547 (Bankr. E.D.N.Y. July 20, 2018) (the “Decision”), pursuant to FRE 201. See, *Roe v. Johnson*, 334 F. Supp. 2d 415, 419-20 (S.D.N.Y. 2004) (FRE 102(b) permits courts to take notice of the public record, including court opinions). A copy of the Decision is annexed.

The Defendant’s opposition (the “Opposition”) to the Plaintiff’s motion for sanctions (the “Motion”), refers to the action generating the Decision. The Decision shows that action’s outcome: dismissal.

Taking judicial notice of the Decision is appropriate. The Decision is the kind of fact subject to judicial notice. FRE 201(b), see *Id.* The court may take judicial notice at any stage of the proceeding. FRE 201(d). The Decision post-dates the Motion’s prior submissions. It

supplements the Motion's record concerning the outcome of the action referred to in the Motion.

The Decision concerns facts which are material to the Motion.

WHEREFORE, the Defendant asks the Court to take judicial notice of the Decision.

Dated: July 25, 2018

New York NY

/s/\_\_\_\_\_

Karamvir Dahiya

Copy to:

Robert A. Wolf

[rwolf@tarterkrinsky.com](mailto:rwolf@tarterkrinsky.com)

Robet Geltzer

[rgeltzer@epitrustee.com](mailto:rgeltzer@epitrustee.com)